

## INSTRUCTIONS FOR COMPLETING THE STATEMENT OF CHANGE IN CONTROL AND OWNERSHIP OF LEGAL ENTITIES QUESTIONNAIRE (BOE-100-B)

Your legal entity (partnership, joint venture, corporation, trust, limited liability company) is receiving this instruction sheet and enclosed questionnaire pursuant to property tax laws. The purpose of the questionnaire is to assist county assessors in identifying real property subject to appraisal for property tax purposes.

All legal entities are required by law (Revenue and Taxation Code Sections 480.1 and 480.2) to complete the questionnaire and return it to the State Board of Equalization on or before the due date printed on the questionnaire. **This must be done whether or not the entity owns or leases real property in California and/or has had a change in ownership control.**

PLEASE READ THE **IMPORTANT NOTICE** ON PAGE 3 (S3F) OF THE QUESTIONNAIRE BEFORE PROCEEDING. THE QUESTIONNAIRE SHOULD BE COMPLETED AND RETURNED EVEN THOUGH THE ADDRESSED LEGAL ENTITY HAS BEEN DISSOLVED OR LIQUIDATED.

*(In addition to the instructions that follow, please note the special instructions after each question on the questionnaire.)*

### QUESTION 1.

Answer **YES** if the addressed legal entity or any of the legal entities under its ownership control (subsidiaries, partnerships, etc.) has obtained cumulatively **more than 50 percent** of: (a) the voting stock of any other corporation, (b) both the profits and capital of a partnership, or (c) any other ownership interest in any trust, joint venture, or other legal entity since the date indicated in Question 1 on the questionnaire. If the answer is **YES**, please provide the name and address of each entity, and date that the ownership interest in each entity surpassed 50 percent. Please add pages to the questionnaire as needed. Do not report entities **created** by the addressed entity. **Only report entities** that owned or leased, directly or indirectly through subsidiaries, partnerships, etc., **real** property in California on the exact date control was obtained. (See instructions for Question 3 below for properties that require entities to be reported.)

### QUESTION 2.

Answer **YES** if the total **cumulative** direct or indirect ownership interest, (voting stock, profits and capital, or other interest) of ONE person or ONE entity in the **addressed legal entity** has surpassed 50 percent since the date indicated in Question 2 on the questionnaire.

### QUESTION 3.

Answer **YES** if the addressed entity or any of the legal entities under its ownership control (subsidiaries, partnerships, etc.) owned or leased any of the following types of real property on the exact date that ownership control changed:

- A. Real property **OWNED** (land, structures, fixtures), as of the exact date that the total cumulative ownership interests of ONE person or ONE entity surpassed 50 percent in the addressed legal entity.

**NOTE:** Do not include real property owned by the addressed legal entity or any of the legal entities under its ownership control if leased to ANY person or UNAFFILIATED entity and the remaining term of the lease including written renewal options **exceeded** 35 years on the date of the change in control and ownership of the addressed legal entity.

- B. Real property **held under lease from a private** owner and the remaining term of the lease was 35 years or more including written renewal options, on the exact date that the ownership interests of one person or entity in the addressed legal entity surpassed 50 percent.
- C. Real property **held on lease from a public** owner (county, state, district, USA, etc.) **for any term**, on the exact date that the ownership interests of one person or entity surpassed 50 percent.
- D. Mineral right parcels including **working interests** in oil, gas, and geothermal steam-producing properties owned or held on **lease for any term** whether in production or not.
- E. Real property, including **fixtures** owned or leased as described in **B** and **C** above, located on premises not owned by the addressed entity.

### QUESTION 4.

Answer **YES** if the transfer reported in Question 2 was between spouses.

### QUESTION 4a.

Answer **YES** if the ownership interest of every person and/or every legal entity remained **exactly** the same both before and after the date of the transfer reported in Question 2.

### QUESTIONS 4b, 4c, 4d.

These questions are self-explanatory—(see questionnaire).

**QUESTION 4e.**

If you answered **YES** to Question 4a **or** to **(all)** 4b, 4c, and 4d, list the names of the persons or entities and percent of total interest owned and controlled both before and after the date of the transfer reported in Question 2. If more than ten owners, describe the transaction briefly.

**QUESTIONS 5 and 6.**

If you answered **YES** to Questions 2 **and** 3 of the questionnaire and **NO** to either 4b, 4c, or 4d, you must complete the property schedule on page 2 (S2F) of the questionnaire. Fill in all appropriate blank spaces concerning the change in control of the addressed legal entity, **then list the properties specified in Question 3 above:**

**PROPERTY SCHEDULE EXAMPLE:**

- |                          |   |  |
|--------------------------|---|--|
| 1. Name                  | = | Name of entity which owned or held on lease each property.   |
| 2. Assessor's Parcel No. | = | County Assessor's Parcel Number.   |
| 3. County No.            | = | County I.D. Number from bottom of page 2 of the questionnaire.                                       |
| 4. Owned                 | = | Property is owned—not leased.  |
| 5. Leased 35 years +     | = | Property held under lease for 35 years or longer on the exact date of the change in control.         |
| 6. Possessory Interest   | = | Property is public-owned property leased by the parent entity or its subsidiary for <b>any</b> term. |
| 7. Fixtures Only         | = | Property is fixed machinery and equipment and/or fixtures only.                                      |

**QUESTION 7.**

Answer **YES** if real property or other ownership interests (voting stock, partnership interest, etc.) have been transferred **to** the addressed legal entity by persons or other legal entities whose interests in the transferred property were held in **EXACTLY** the same proportion **after** the transfer as **before** the transfer. (For example, Mr. A and Mr. B owned an apartment house as **tenants in common**. They created the **A and B partnership** and then deeded the apartment house to the partnership with each retaining the exact proportionate interest in the **partnership** as previously held in the **apartment house** as tenants in common.) In such instances, mark Question 7 **YES**. At the point in time that the apartment house was transferred to the partnership, **Mr. A** and **Mr. B** became **original co-owners**. If you answer **YES** to Question 7, go to 8. If you answered **NO**, skip to signature.

**QUESTION 8.**

Answer **YES** if more than 50 percent of the total interest held by all the **original co-owners** has been retransferred (see instruction for Question 7).

**ORIGINAL CO-OWNER SCHEDULES**

If Question 8 of the questionnaire is answered **YES**, you must complete Schedules A and B on the reverse of page 2 (S2B).

**Schedule A**—List the property referred to in Question 7.

**Schedule B**—List the names and percentage ownership of the **ORIGINAL CO-OWNERS** (see instructions for Question 7).

Questions 7 and 8 are technical in nature. If you require assistance in answering these questions, please contact us at (916) 323-5685. Please note the **DUE ON OR BEFORE DATE** that appears on your questionnaire. You should return the questionnaire on or before this date.

Thank you for your patience and cooperation. If you wish more information or assistance, please call:

STATE BOARD OF EQUALIZATION  
Property and Special Taxes Department  
County-Assessed Properties Division  
Legal Entity Ownership Program (LEOP)  
916-323-5685

